

property of said town, or specially upon the assessable property of persons benefitted thereby.

*Ibid. s. 14.*  
Proceedings to  
condemn land.

Jury.

Sub-Sec. 2. If on the opening or laying out of any new street, lane or alley, the said commissioners cannot agree with the owner of any land or property wanted for the purposes, for the purchase, use or occupation of the same, application may be made to any justice of the peace for said county, who shall thereupon issue his warrant, under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, who shall be freeholders, and not related to any of the parties or in anywise interested, to meet on the land or near the property to be valued, on a day to be named in the warrant, not less than ten nor more than twenty days after issuing the warrant.

*Ibid. s. 15.*  
Oath to jurors.

Sub-Sec. 3. The sheriff shall, before the jury proceed to act, administer to each an oath that he will justly and impartially value the damages; and if any of the jurors summoned do not attend, the sheriff shall immediately summon as many jurors as shall be necessary, with those in attendance, to finish a panel of twenty, and from them each party or his agent, or if either be not present in person or by agent, the sheriff for him may strike off four jurors, and the remaining twelve shall act as a jury of inquest and damages.

*Ibid. s. 16.*  
Damages how  
estimated.

Sheriff to make  
return to court.

Sub-Sec. 4. The jury in estimating the damages, shall take into consideration the benefit resulting to the owner from the opening and laying out said streets, lanes and alleys, through, along or near to the property of said owner, but only in extinguishment of the claims for damages; and the jury shall reduce their inquisition to writing and shall sign and seal the same, and it shall then be returned by the sheriff to the clerk of the circuit court for said county, and shall be confirmed by the said court at its next session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk at the expense of said commissioners. If